

REMARKS/ARGUMENTS

Claims 1, 4, 7 and 9 are present in this application. By this Amendment, claims 1 and 9 have been amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 1, 4, 7 and 9 were rejected under 35 U.S.C. §112, first paragraph. With regard to claim 1, without conceding this rejection, reference to the cylindrical body "having a constant diameter" has been deleted. With regard to claim 9, Applicant does not find corresponding language in this claim, and in fact the Office Action does not reference any purportedly objectionable language in claim 9. Applicant submits that the rejection of claim 9 is misplaced. Withdrawal of the rejection is requested.

Claims 1, 4 and 9 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 2,848,130 to Jesnig in view of U.S. Patent No. 4,915,243 to Tatsumi et al. or U.S. Patent No. 4,193,402 to Rumpler. This rejection is respectfully traversed.

As described on page 4, lines 23-24 of the present specification, the stopper 20 of the described invention includes an inserting section 21, a disk-shaped closing section 22, and a disk-shaped operating section 23. An annular groove 24 is formed between the closing and operating sections 22, 23 to enable an operator to more easily pick up the operating section 23 (see page 5, lines 5-7). In Jesnig, the upper flange surface 43 is initially in a common plane containing the upper surface 44 of the central "island" or semi-detached central portion formed in part by the web 22 and delineated by an annular groove or recess 45 extending normal to the surfaces 43, 44 toward the shank 18 (see col. 6, lines 30-35). Jesnig, however, lacks any disclosure or suggestion of a main part including a disk-shaped closing section and a disk-shaped operating section separated in a longitudinal direction of the stopper by an annular groove.

The Tatsumi and Rumpler patents do not correct this deficiency. The rubber closure of Tatsumi includes a main body 1 and annular leg parts 3, 3', the outer surface of which is laminated with a chemical resistant resin and on which protrusions 4 are provided in the form of a "semi-trigonal pyramid" as shown in Fig. 9 (see col. 6, lines 17-21). The stopper of Rumpler includes an upper portion or cap 1 generally in the shape of a cylindrical disk as well as a skirt 2 connected to the cap at a shoulder 3 (see col. 3, lines 29-32). Like Jesnig, however, neither Tatsumi nor Rumpler teaches a main part including a disk-shaped closing section and a disk-shaped operating section separated in a longitudinal direction of the stopper by an annular groove positioned therebetween.

In an effort to clarify this distinction, claim 1 has been amended to recite that the stopper includes an inserting section and a main part including a disk-shaped closing section and a disk-shaped operating section . . . , where the operating section is spaced from the closing section in a longitudinal direction of the stopper by an annular groove positioned therebetween. Claim 9 has been correspondingly amended, defining an operating section separated in a longitudinal direction of the stopper from the closing section by a groove that facilitates grasping the operating section. Since at least this subject matter is lacking in Jesnig, Tatsumi and Rumpler, taken singly or in combination, Applicant respectfully submits that the rejection of independent claims 1 and 9 is misplaced.

With regard to dependent claim 4, Applicant submits that this claim is allowable at least by virtue of its dependency on an allowable independent claim.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 7 was rejected under 35 U.S.C. §103(a) over Jesnig in view of Tatsumi or Rumpler and U.S. Patent No. 3,902,477 to Gerarde. Without conceding this rejection, Applicant submits

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that the Gerarde patent does not correct the deficiencies noted above with regard to Jesnig, Rumpler and/or Tatsumi. As a consequence, Applicant submits that dependent claim 7 is allowable at least by virtue of its dependency on an allowable independent claim. Withdrawal of the rejection is requested.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

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